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10/051,778	01/17/2002	Orhan Earl Beckman	10016640-1	2741

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EXAMINER

LETT, THOMAS J

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/051,778	BECKMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thomas J. Lett	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 January 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-36 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-6, 9-13 and 16-36 is/are rejected.  
 7) Claim(s) 7, 8, 14, and 15 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 17 January 2002 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/17/02</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-6, 9-13, and 16-36 rejected under 35 U.S.C. 102(b) as being anticipated by Dodge et al (USPN 5,655,130).

With respect to claim 1, Dodge et al disclose a method for generating a publication, comprising:

inputting an ephemeral interest into a client (input/output device 54, col. 8, lines 51-52 and see Fig. 4), wherein the ephemeral interest (variation-specific element 44, col. 7, line 53) is of use in identifying at least one content item to be included in the publication (document filter 60 can filter content, col. 8, lines 52-56);

requesting the publication based at least in part upon the ephemeral interest from a publication system (CDS document generation system, col. 7, lines 33-38); and

printing out the publication received from the publication system, the publication including the at least one content item (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21).

With respect to claim 2, Dodge et al disclose a method of inputting a user identifier into the client (users electronically tailor their view of the document so it includes only the information they want to see, col. 6, lines 65-67. Examiner notes that

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in order to tailor a document for a specific user, it is inherently necessary to distinguish the user with some form of user identifier).

With respect to claim 3, Dodge et al disclose a method of claim 1, wherein the inputting of the ephemeral interest into the client further comprises:

inputting an ephemeral interest reference into the client (users electronically tailor their view of the document so it includes only the information they want to see, col. 6, lines 65-67); and

obtaining the ephemeral interest from a reference mapper (document database processor 12, col. 6, lines 24-26) based upon the ephemeral interest reference.

With respect to claim 4, Dodge et al disclose a method comprising inputting a relative weight of the ephemeral interest into the client, the relative weight indicating a proportionality to be afforded to the ephemeral interest relative to an enduring interest in identifying the at least one content item to be included in the publication (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 5, Dodge et al disclose a method wherein the inputting of the ephemeral interest into the client further comprises:

scanning a document to obtain a digital representation thereof (input/output device 54, col. 8, lines 51-52 and see Fig. 4); and

parsing an amount of data in the digital representation of the document to identify the ephemeral interest included therein (filter and formatter 50 along with document rules 42 determines content of interest, col. 7, lines 52-59).

With respect to claim 6, Dodge et al disclose a method of claim 1, wherein the inputting of the ephemeral interest (variation-specific element 44, col. 7, line 53) into the client further comprises entering the ephemeral interest into the client using an input device (input/output device 54, col. 8, lines 51-52 and see Fig. 4).

Claim 9 is rejected for the same reasons as that of claim 1.

Claim 10 is rejected for the same reasons as that of claim 2.

Claim 11 is rejected for the same reasons as that of claim 3.

Claim 12 is rejected for the same reasons as that of claim 4.

Claim 12 is rejected for the same reasons as that of claim 5.

With respect to claim 16, Dodge et al disclose a system for generating a publication, comprising: means for inputting an ephemeral interest (input/output device 54, col. 8, lines 51-52 and see Fig. 4), wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication (variation-specific element 44, col. 7, line 53);

means for generating a request for the publication based at least in part upon the ephemeral interest from a publication system (CDS document generation system, col. 7, lines 33-38), wherein the request is to be applied to the publication system (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21); and

means for executing a printing of the publication received from the publication system, the publication including the at least one content item (from the CDS database,

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many different types of printed or electronic documents can be produced, col. 5, lines 16-21).

With respect to claim 17, Dodge et al disclose a system (CDS document generation system, col. 7, lines 33-38) for generating a publication, comprising:

a processor circuit having a processor (document database processor 12, col. 6, lines 20-26) and a memory (database 10, col. 6, lines 20-23);

a point of publication system stored in the memory and executable by the processor, the point of publication system including:

logic that inputs an ephemeral interest, wherein the ephemeral interest is of use in identifying at least one content item to be included in the publication (input/output device 54, col. 8, lines 51-52 and see Fig. 4);

logic that generates a request for the publication based at least in part upon the ephemeral interest from a publication system (CDS document generation system, col. 7, lines 33-38), wherein the request is to be applied to the publication system (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21); and

logic that executes a printing of the publication received from the publication system, the publication including the at least one content item (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21).

With respect to claim 18, Dodge et al disclose a system wherein the logic that inputs the ephemeral interest further comprises logic that parses an amount of data in a

digital representation of a scanned document (using input/output device 54, col. 8, lines 51-52 and see Fig. 4) to identify the ephemeral interest included therein (filter and formatter 50 along with document rules 42 determines content of interest, col. 7, lines 52-59).

With respect to claim 19, Dodge et al disclose a system of claim 17, further comprising logic that inputs a relative weight of the ephemeral interest into the client, the relative weight indicating a proportionality to be afforded to the ephemeral interest relative to an enduring interest in identifying the at least one content item to be included in the publication (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 20, Dodge et al disclose a method for generating a publication, comprising:

identifying a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59);

formatting the publication for printing by a client (using filter and formatter 50);  
and

transmitting the publication to the client for printing (from the CDS database, many different types of printed or electronic documents can be produced, col. 5, lines 16-21).

With respect to claim 21, Dodge et al disclose a method wherein the identifying of the number of content items to be included in the publication further comprises performing a search among a number of potential content items for the content items that convey the information associated with the ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 22, Dodge et al disclose a method of claim 20, further comprising maintaining a user profile that includes an enduring interest associated with a user (a custom document is generated from a source file created by a user, col. 5, lines 36-40).

With respect to claim 23, Dodge et al disclose a method of claim 22, wherein the identifying of the number of content items to be included in the publication further comprises performing a search among a number of potential content items for the content items that convey information associated with both the ephemeral interest and the enduring interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 24, Dodge et al disclose a method of claim 22, wherein the identifying of the number of content items for the publication further comprises:

performing a first search for a number of ephemeral content items conveying information associated with the ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8); and

performing a second search for a number of enduring content items conveying information associated with the enduring interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 25, Dodge et al disclose a method of claim 24, wherein the identifying of the number of content items for the publication further comprises identifying a first number of the ephemeral content items and a second number of enduring content items for inclusion in the publication based upon a relative weight established between the ephemeral and the enduring interests (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 26, Dodge et al disclose a method of claim 20, further comprising maintaining a user profile that includes a number of source ratings associated with a corresponding number of content item sources (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 27, Dodge et al disclose a method of claim 26, further comprising adding a new one of the source ratings to the user profile based upon a content item feedback received from a client (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8. The CDS authoring methodology gets feedback from users in the nine-step process, col. 17, line 62 – col. 18, line 11).

With respect to claim 28, Dodge et al disclose a method of claim 26, further comprising determining whether a content item is to be excluded from the publication based upon a content item source rating associated with the content item (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 29, Dodge et al disclose a program embodied in a computer readable medium for generating a publication, comprising:

code that identifies a number of content items to be included in the publication, wherein at least some of the content items convey information associated with an ephemeral interest (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8);

code that formats the publication for printing by a client (using filter and formatter 50); and

code that transmits the publication to the client for printing (from the CDS database, many different types of printed or electronic documents can be produced; col. 5, lines 16-21).

With respect to claim 30, Dodge et al disclose a program embodied in a computer readable medium of claim 29, wherein the code that identifies the number of content items to be included in the publication further comprises code that performs a search among a number of potential content items for the content items that convey the information associated with the ephemeral interest (filter and formatter 50 along with

document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

With respect to claim 31, Dodge et al disclose a program embodied in a computer readable medium of claim 29, further comprising code that maintains a user profile that includes an enduring interest associated with a user (a custom document is generated from a source file created by a user, col. 5, lines 36-40).

With respect to claim 32, Dodge et al disclose a program embodied in a computer readable medium wherein the code that identifies the number of content items to be included in the publication further comprises code that performs a search among a number of potential content items for the content items that convey the information associated with both the ephemeral interest and the enduring interest (filter and formatter 50 along with document rules 42 determines content of interest relative to remaining elements and their relationships, col. 7, lines 52-59).

With respect to claim 33, Dodge et al disclose a program embodied in a computer readable medium comprising code that adds a source rating to a user profile based upon a content item feedback received from a client (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8. The CDS authoring methodology gets feedback from users in the nine-step process, col. 17, line 62 – col. 18, line 11).

With respect to claim 34, Dodge et al disclose a program embodied in a computer readable medium of claim 33, further comprising code that determines whether a content item is to be excluded from the publication based upon a respective

one of a number of source ratings that is associated with the content item (filter and formatter 50 along with document rules 42 determines content of interest to create a document 48.1, col. 8, lines 1-8).

Claim 35, a system claim, is rejected for the same reasons as that of claim 20.

Claim 36, a system claim, is rejected for the same reasons as that of claim 17.

***Allowable Subject Matter***

2. Claims 7, 8, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571)272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571)272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJL

(TJL)

Kimberly Williams

**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**